

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations,
(Highland, Michigan)

MM Docket No. 01-242
RM-10248

COMMENTS

Hatfield & Dawson Consulting Engineers, LLC ("H&D"), hereby submits these comments in response to the Commission's proposal to allot Channel 236A to Highland, Michigan. *Notice of Proposed Rulemaking*, DA 01-2146, released September 14, 2001.

The Highland allotment as proposed by Charles Crawford ("Crawford" or "Petitioner") is defective and should be denied. The reasons for this conclusion are twofold:

(1) The Petitioner has confused two communities in the State of Michigan which have the same name, and has provided a description of the population and attributes of a community located 230 km from the allotment reference coordinates. The Petitioner has provided no information which would demonstrate that his intended community of license qualifies as a community for allotment purposes.

(2) Even were the Petitioner's intended community of license be deemed to qualify as a community for allotment purposes, the proposed Channel 236A allotment site would not afford 70 dBu coverage over the entire community, as required by Section 73.315(a) of the Commission's Rules.

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Petition has Described the Attributes of the Wrong Community

The Petitioner states that Highland is an incorporated township with a population in excess of 19,169 people, and goes on to describe the community as having “its own township supervisor, John P. Stakoe, its own school system, its own post office, its own fire department and a number of local churches” (Petition at 1). Unfortunately, the Petitioner has failed to do his research and has provided a description of the wrong Highland township.

In the State of Michigan, the county subdivisions are minor civil divisions (MCD's) known as cities and townships. In many cases, these townships are the functional equivalent of cities and towns.

Within the State of Michigan, there are two Highland townships, located in different counties. The Petitioner has provided an accurate description of the Highland township located in Oakland County, proximate to Detroit, and lying partly within the Detroit Urbanized Area. Highland township in Oakland County has a 2000 Census population of 19,169 people. A check of the “Highland Township Profile” on the Huron Valley Chamber of Commerce website (www.highland-mi.com) confirms that John P. Stakoe is the township supervisor of Highland township in Oakland County.

The Petitioner's allotment map and proposed allotment coordinates, by contrast, clearly indicate that he intended to allot Channel 236A to the Highland township located in Osceola County, in northern Michigan. Highland township in Osceola County has a 2000 Census population of only 1,207 people, a far cry from the population cited by the Petitioner. Highland township in Osceola County does not contain any incorporated cities, towns, or Census Designated Places; nor does a review of USGS 7.5 minute topographic maps indicate that the township has any definable

center. The entire township can be characterized as forested, hilly, rural, and sparsely populated. While the township does contain a few named localities (Highland, Ina, and Pisgah Heights), none of these appears to be more than a minor aggregation of buildings or a “wide spot in the road.”

There is no post office located in Highland township in Osceola County. A search of the US Postal Service web site (www.usps.com) shows that post offices are located in the nearby communities of McBain, Sears, Tustin, Evart, and Leroy, but not in Highland township. Highland township is located within ZIP Code 49665, which is extensive and covers about 37% of Osceola County (including the village of Marion), plus about 10% of neighboring Clare County.

There are no schools located in Highland township in Osceola County. Osceola County schools are located in the towns of Evart, Marion, Leroy, and Reed City, but not in Highland township.

The Petitioner has utterly failed in his responsibility to demonstrate that Highland township in Osceola County qualifies as a community for allotment purposes. He has provided no list of business, churches, or schools identified with this community, and has in fact provided population and local government data for an entirely different community.

70 dBu Coverage Deficiency

Even were Highland township in Osceola County to be determined to qualify as a community for allotment purposes, the allotment of Channel 236A at Highland would be defective in that the allotment would not provide 70 dBu coverage over the entire community, as is required by Section 73.315(a) of the Commission’s Rules.

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Attached is a map exhibit which depicts a 16 kilometer radius circle (equivalent to Class A 70 dBu coverage) centered at the allotment coordinates of NL 44-15-47 x WL 85-20-27. As is demonstrated by this map, less than 50% of Highland township would receive 70 dBu coverage from the proposed allotment.

Conclusion

For the reasons set forth above, the Petitioner has failed to demonstrate that Highland township in Osceola County has the necessary indicia to qualify as a community for allotment purposes, and indeed has provided information relating to an entirely different community. Furthermore, even were Highland township in Osceola County to be determined to qualify as a community for allotment purposes, the allotment would be defective in that it would not provide 70 dBu coverage to the entire community. Therefore, the Commission should deny Crawford's proposal in this proceeding.

The information provided in these Comments is correct and true to the best of my knowledge.

Respectfully submitted,

HATFIELD & DAWSON CONSULTING ENGINEERS, LLC

By: 
Erik C. Swanson, E.I.T.

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November 2, 2001

Hatfield & Dawson Consulting Engineers

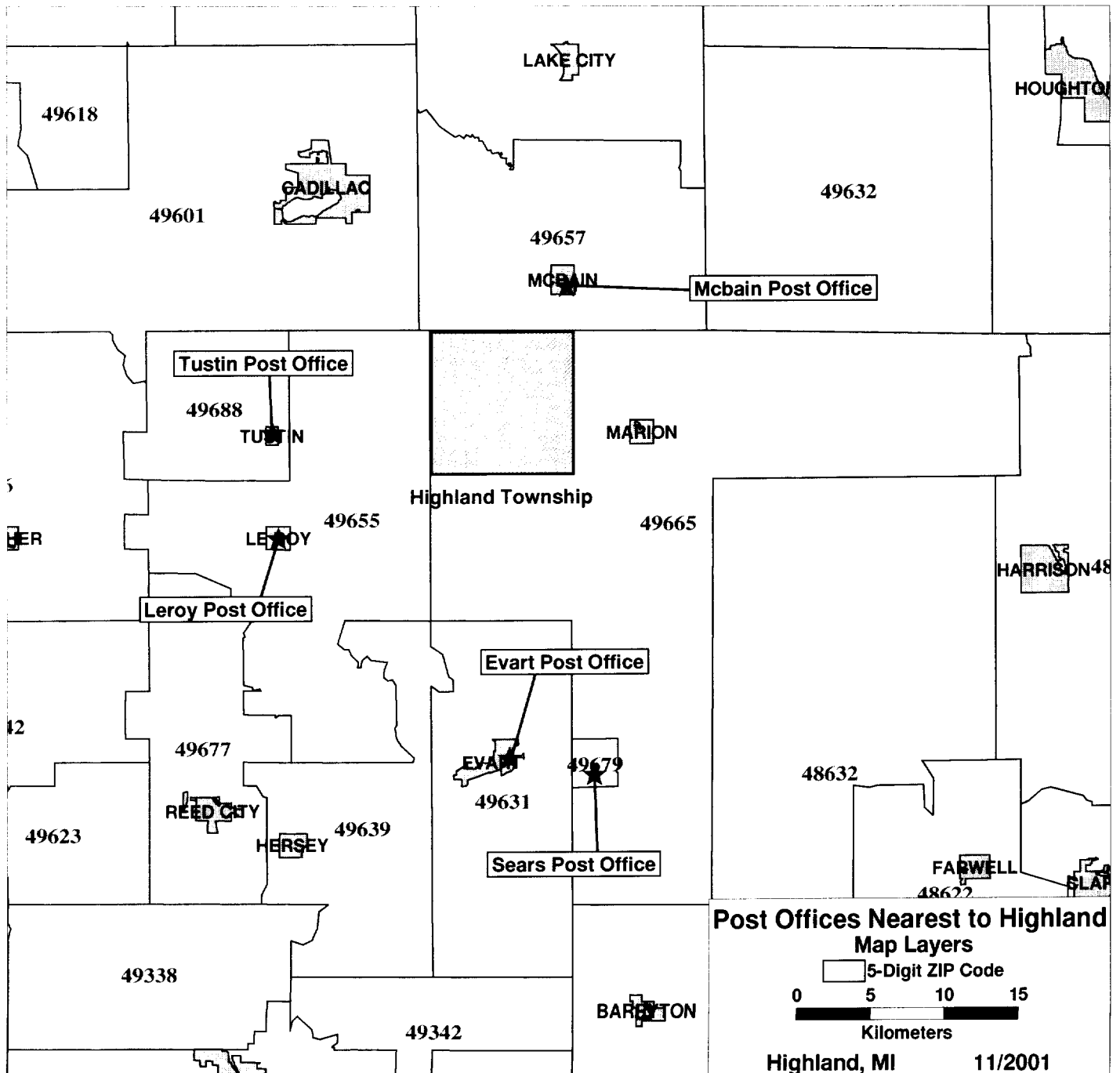
CERTIFICATE OF SERVICE

I, Erik C. Swanson, hereby certify that on this 2nd day of November, 2001, I have caused a copy of the foregoing "Comments" to be sent by first class US mail to:

Charles Crawford
4553 Bordeaux Ave
Dallas, TX 75205
Petitioner


Erik C. Swanson

Hatfield & Dawson Consulting Engineers



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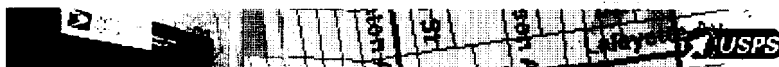
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School Name	Grades	Phone	City	ZIP
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Evart High School	06-12	(616) 734-5594	Evart	49631
Marion Elementary School	PK-05	(616) 743-2486	Marion	49665
Marion High School	06-12	(616) 743-2486	Marion	49665
Leroy Elementary School	KG-06	(616) 829-3141	Leroy	49655
Luther Elementary School	KG-06	(616) 829-3141	Leroy	49655
Pine River Area Jr Sr Hi Sch	07-12	(616) 829-3141	Leroy	49655
Tustin Elementary School	KG-06	(616) 829-3141	Leroy	49655
G T Norman Elementary School	KG-03	(616) 832-2201	Reed City	49677
Hersey Elem School	KG-03	(616) 832-2201	Reed City	49677
Reed City Adult Ed	UG-UG	(616) 832-2201	Reed City	49677
Reed City High School	09-12	(616) 832-2201	Reed City	49677
Reed City Middle	06-08	(616) 832-2201	Reed City	49677
Upper Elementary School	04-05	(616) 832-2201	Reed City	49677

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